

#15 / N/P <sup>Ex</sup>  
11/21/3  
Sunder

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PATENT  
39943/PAN/C715

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Choquette et al.                      Group No.: 2815  
Serial No.: 09/ 871,492    Examiner: Warren, M.  
Filed: May 31, 2001  
For: Long Wavelength Vertical Cavity Laser

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES (37 C.F.R. § 1.191)**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicant hereby appeals to the Board from the decision of the Primary Examiner mailed May 29, 2003 finally rejecting claims 1-23.

The item(s) checked below are appropriate:

**1. STATUS OF APPLICANT**

This application is on behalf of other than a small entity.

**2. FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 CFR 1.17(e) the fee for filing the Notice of Appeal is:

X other than a small entity    \$320.00

Notice of Appeal fee due \$ 320.00

**3. EXTENSION OF TERM**

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

(a) X A Response After Final Action was filed on July 15, 2003.

X An Advisory Action was mailed August 20, 2003.

(b) X Applicant petitions for an extension of time under 37 CFR 1.136 for the total number of months checked below:

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	<u>Extension (months)</u>	<u>Fee for other than small entity</u>
<u>X</u>	one month	\$ 110.00
<u>—</u>	two months	\$ 390.00
<u>—</u>	three months	\$ 890.00
<u>—</u>	four months	\$1,390.00

If an additional extension of time is required, please consider this a petition therefor.

Extension fee due with this request \$ 110.00

or

(c) — Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

#### 4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee \$ 320.00

Extension fee (if any) \$ 110.00

TOTAL FEE DUE \$ 430.00

#### 5. FEE PAYMENT

X Charge Account No. 19-0131 the sum of \$ 430.00.

A duplicate of this transmittal is attached.

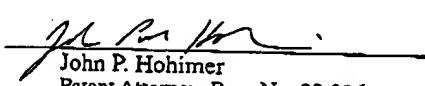
#### 6. FEE DEFICIENCY

X Charge Account No. 19-0131 if any additional extension and/or fee is required.

Respectfully submitted,

Dated: September 16, 2003

Phone: (505) 844-4007  
FAX: (505) 844-1418

  
John P. Hohimer  
Patent Attorney, Reg. No. 39,226  
Sandia National Laboratories  
Patent & Licensing Center, MS 0161  
P. O. Box 5800  
Albuquerque, New Mexico 87185-0161

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**CERTIFICATE OF MAILING**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited on the date shown below with the United States Postal Service in an envelope addressed to Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☒ 37 CFR 1.8(a)

With sufficient postage as first class mail

OR

☐ 37 CFR 1.10

As "Express Mail Post Office to Addressee"

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MARY LOUKOTA  
(Type or print name of person mailing paper)

Dated: 9/17/03

Mary Loukota  
(Signature of person mailing paper)



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**Deposit Account Statement**

Requested Statement Month: September 2003  
 Deposit Account Number: 190131  
 Name: SANDIA NATIONAL LABORATORIES  
 Attention: MARY LOUKOTA MS-0181  
 Address: P.O. BOX 5800  
 City: ALBUQUERQUE  
 State: NM  
 Zip: 87185-0161

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
09/02	138	10608655	SD-7203/S-99,827	8021	\$40.00	\$115,828.00
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09/16 38	10661237	6909.1/97535	1001	\$750.00	\$259,558.00
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09/22 107	10641860 7229		8021	\$40.00	\$256,830.00
09/23 1	09873078	SD6728/S9555	1814	\$110.00?	\$256,720.00
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→ 09/24 91	09871492	39943/PAN/C7	1251	\$110.00?	\$254,560.00
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09/29 3	E-REPLENISHMENT		9203	-\$50,000.00	\$309,030.00
09/29 5	10000930	SD6397/S9238	1201	\$84.00?	\$308,946.00
09/29 10	10668536	SD-7146	1001	\$750.00	\$308,196.00
START BALANCE		SUM OF CHARGES	SUM OF REPLENISH	END BALANCE	
\$115,868.00		\$20,192.00	\$212,520.00	\$308,196.00	

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